

REMARKS/ARGUMENTS

Applicant respectfully requests reconsideration and allowance of the subject application.

Claims 1-34 were originally submitted.

No Claims are currently amended.

Claims 1-34 remain in this application.

1 **Examiner Interview**

2 A telephone interview took place on March 11, 2008 between Examiner
3 Joshua Wert, Primary Examiner Corbett, and Emmanuel Rivera. Claims 1-34 are
4 rejected based on U.S. Patent 6,684,062 to Gosior et al (Gosior).

5 It was discussed whether Gosior discloses “a host that receives game
6 controller data and determines quality of service (QOS) on the received game
7 controller data” and “transmission power management at the game controller is
8 based on the QOS of the received game controller data”; and “a game controller
9 that transmits the game controller data to the host, receives host data from the host
10 and determines QOS on the received host data” and “reception power management
11 at the game controller is based on the QOS of the received host data”, elements as
12 recited by, as an example, by independent claim 1.

13 It was particularly discussed whether power adjustment in either the host or
14 the controller as described in Gosior, discloses adjusting power based on received
15 Quality of Service. Examiner Wert presented that such an element is shown in
16 Gosior, citing col. 10, lines 4-5, lines 21-23 of Gosior. Although power adjustment
17 is described by Gosior, such adjustment is not based on QOS, but an RF signal or
18 RF signal level. Further arguments are provided below in distinguishing RF signal
19 and QOS, and what is described in Gosior and what is recited in the claims.

20 No agreement was reached during the interview. It was requested that
21 Examiner Wert contact Emmanuel Rivera prior to issuing any subsequent Office
22 Communication.
23
24
25

1 **35 U.S.C. §102(b)**

2 Claims 1-34 are rejected under 35 USC §102(b) as being anticipated by US
3 Patent 6,684,062 to Gosior et al (Gosior). Applicant respectfully traverses the
4 rejection of the claims.

5 Gosior describes a system architecture for short range, radio frequency
6 wireless system for operating an electronic game device. A common framework
7 is provided to allow interoperation of multiple types of wireless controllers with
8 multiple electronic game device types.

9 The system architecture has a hand operated game controller, a base
10 transceiver and an electronic game device. For wireless radio frequency
11 transmissions, the system is arranged in a master-slave configuration with base
12 transceiver acting as the master and controllers acting as the slave. The controller
13 has a portable, hand operable remote component linked to electronic game device
14 through a radio frequency (RF) wireless connection. The controller includes two
15 subsystems defined as controller input/output subsystem and controller RF module.
16 A controller input/output subsystem comprises an interface between game device
17 and the user, and includes electronic devices to support digital and analog game
18 control input keys and joysticks, audio input and output devices etc.

19 A Controller RF module manages the transmission of data between
20 controller and base transceiver, and contains a link-status light emitting diode to
21 show status information for a controller-to-base transceiver RF transmission
22 channel.

23 Gosior describes an RF system design is used in either controller RF
24 module or base transceiver RF module to both transmit and receive signals and to
25 detect signal strength. All operations of the RF section are under the control of a

central microprocessor. The microprocessor controls a modulator and an oscillator to generate a transmit frequency shift key signal. The signal is amplified and controlled by an RF switch which controls the half duplex signal transmission.

When a signal is received, an RF switch allows the signal to pass into receive section. Using super heterodyne techniques, the signal is reduced to an intermediate frequency (IF) where a filter removes adjacent channel frequencies. Next the signal is amplified and passed through a demodulator. It is then extracted using a post detection filter and data slicer circuit and is sent to microprocessor.

A received signal strength indicator (RSSI) is used by microprocessor both to determine the received signal strength (for power control) and to act as a RF carrier detect to sense when a new RF transmission has been originated. The receive power is compared against the standard and this information is passed up to the next protocol layer where packet fields are used to carry power level information to dynamically adjust power levels of transmitting devices. Transmission frequencies are organized by channels. Each RF system uses a group of channels called “palettes” for transmission purposes. Channels in channel palettes are automatically replaced if one of the channels in a palette becomes bad (Fig. 10 lines Col. 5 line 43- Col. 6 line 15).

Independent claim 1, for example, “[a] gaming system comprising:

a host that receives game controller data and determines quality of service (QOS) on the received game controller data, wherein transmission power management at the game controller is based on the QOS of the received game controller data; and

a game controller that transmits the game controller data to the host, receives host data from the host and determines QOS on the received host

1 data, wherein reception power management at the game controller is based
2 on the QOS of the received host data.”

3 As discussed above, Gosior describes that power adjustment, at either host
4 (as presented by the Action) or controller is based on radio frequency transmission.
5 In other words, power is adjusted based on signal strength received by either the
6 host or the controller. In contrast, claim 1 recites that power management at the
7 host and the controller is based on received QOS data. Gosior particularly
8 distinguishes QOS data, which is provided in a separate CPD component which
9 contains such QOS data (see col. 10, lines 2-3 of Gosior). Gosior fails to show
10 that such QOS data is used for power adjustment at the host or the controller. The
11 specification, for example, at paragraph, describes exemplary QOS data as actual
12 (i.e., text) data of a received data packet; header data of a received data; and
13 received voice data. Another QOS metric may include forward error correcting
14 (FEC) code which inherently includes error checking.

15 Accordingly, Applicant respectfully requests that the §102 rejection of
16 claim 1 be withdrawn.

17 **Dependent claims 2 to 11** are allowable based at the least on their
18 dependency on claim 1, and for additional reasons presented below. Applicant
19 respectfully requests that the §102 rejection of claims 2 to 11 be withdrawn.

20 Claim 2 recites “the host instructs the game controller to decrement
21 transmission power at the game controller if the host determines that QOS on the
22 received game controller data is acceptable”. The Action does not particularly
23 point out where in Gosior this element is disclosed. As discussed, power
24 adjustment described in Gosior is related to RF signal strength.
25

1 Claim 3 recites “the host instructs the game controller to increment
2 transmission power at the game controller if the host determines that QOS on the
3 received game controller data is not acceptable.” The Action does not particularly
4 point out where in Gosior this element is disclosed. As discussed, power
5 adjustment described in Gosior is related to RF signal strength.

6 **Independent claim 12** recites “[a] game controller that adjusts reception
7 power based on quality of service (QOS) of received data from a host, and adjusts
8 transmission power based on feedback from the host”.

9 The Action presents the same arguments in rejecting claim 1, as those used
10 in rejecting claim 12, as to Gosior. Applicant presents the arguments in support of
11 claim 1, in support of claim 12. Applicant respectfully requests that the §102
12 rejection of claim 12 be withdrawn.

13 **Dependent claims 13 and 14** are allowable based at the least on their
14 dependency on claim 12. Applicant respectfully requests that the §102 rejection of
15 claims 13 and 14 be withdrawn.

16 **Independent claim 15** recites “[a] host in a gaming system that determines
17 QOS of data received from a game controller and provides feedback to the game
18 controller to adjust transmission power at the game controller based on the QOS
19 determination”.

20 The Action presents the same arguments in rejecting claim 1, as those used
21 in rejecting claim 15, as to Gosior. Applicant presents the arguments in support of
22 claim 1, in support of claim 15. Applicant respectfully requests that the §102
23 rejection of claim 15 be withdrawn.

24 **Independent claim 16** recites “[a] method to adjust communication power
25 of a game controller comprising:

1 receiving data from a host;
2 determining if data from the host is correctly received ; and
3 changing receiver sensitivity based on the determining if data from
4 the host is correctly received.

5 The Action presents the same arguments in rejecting claim 1, as those used
6 in rejecting claim 16, as to Gosior. Applicant presents the arguments in support of
7 claim 1, in support of claim 16. Applicant respectfully requests that the §102
8 rejection of claim 16 be withdrawn.

9 **Dependent claims 17 to 23** are allowable based at the least on their
10 dependency on claim 16. Applicant respectfully requests that the §102 rejection of
11 claims 17 to 23 be withdrawn.

12 **Independent claim 24** recites “[a] method to adjust communication power
13 of a game controller comprising:

14 receiving data from the game controller;
15 determining quality of service (QOS) of the received data from the
16 game controller; and
17 providing feedback regarding how to adjust transmission power to
18 the game controller based on the QOS determination.”

19 The Action presents the same arguments in rejecting claim 1, as those used
20 in rejecting claim 24, as to Gosior. Applicant presents the arguments in support of
21 claim 1, in support of claim 24. Applicant respectfully requests that the §102
22 rejection of claim 24 be withdrawn.

23 **Dependent claims 25 to 29** are allowable based at the least on their
24 dependency on claim 24. Applicant respectfully requests that the §102 rejection of
25 claims 25 to 29 be withdrawn.

1 **Independent claim 30** recites “[f]or use with a gaming system, a storage
2 medium having instructions that, when executed on the gaming system, causes the
3 gaming system to perform acts comprising:

4 determining QOS of data communicated between a host and one or
5 more game controllers;

6 adjusting receiver sensitivity in the game controllers based on QOS
7 determination of host data received at each of the game controllers; and

8 adjusting transmission power in each of the game controllers based
9 on QOS determination of game controller data received by the host from
10 each of the game controllers.”

11 The Action presents the same arguments in rejecting claim 1, as those used
12 in rejecting claim 30, as to Gosior. Applicant presents the arguments in support of
13 claim 1, in support of claim 30. Applicant respectfully requests that the §102
14 rejection of claim 30 be withdrawn.

15 **Dependent claims 31 and 32** are allowable based at the least on their
16 dependency on claim 30. Applicant respectfully requests that the §102 rejection of
17 claims 31 and 32 be withdrawn.

18 **Independent claim 33** recites “[a] gaming system comprising:

19 means for exchanging data between a host and a game controller;

20 means for determining QOS of host data received by the game
21 controller;

22 means for determining QOS of game controller data received by the
23 host; and

24 means for changing communication power levels in a game
25 controller, wherein transmission power is changed based on the QOS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

determination of the game controller data and receiver sensitivity is changed based on the QOS determination of the host data.

The Action presents the same arguments in rejecting claim 1, as those used in rejecting claim 33, as to Gosior. Applicant presents the arguments in support of claim 1, in support of claim 33. Applicant respectfully requests that the §102 rejection of claim 33 be withdrawn.

Dependent claim 34 is allowable based at the least on its dependency on claim 33. Applicant respectfully requests that the §102 rejection of claim 34 be withdrawn.

1 **CONCLUSION**

2 Pending claims 1-34 are in condition for allowance. Applicant respectfully
3 requests reconsideration and prompt issuance of the subject application. If any
4 issues remain that prevent issuance of this application, the Examiner is urged to
5 contact the undersigned attorney before issuing a subsequent Action.

6
7 Respectfully Submitted,

8
9 Dated: March 13, 2008

By: /Emmanuel A. Rivera/

10 Emmanuel A. Rivera
11 Reg. No. 45,760
12 (512) 344-9931
13
14
15
16
17
18
19
20
21
22
23
24
25